

Kansas Department of Agriculture
Division of Food Safety and Lodging
1320 Research Park Drive, Manhattan, KS 66502
(office) 785-564-6767 (fax) 785-564-6779

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Insp Date: 6/18/2015 **Business ID:** 114393FE
Business: CHINA GARDEN

5860 ANTIOCH RD
MERRIAM, KS 66202

Inspection: 92000022
Store ID:
Phone: 9138316888
Inspector: KDA92
Reason: 09 Modified Complaint
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
06/18/15	04:15 PM	06:20 PM	2:05	0:00	2:05	0	
06/18/15	06:20 PM		0:00	0:25	0:25	0	
Total:			2:05	0:25	2:30	0	

FOOD ESTABLISHMENT PROFILE

Updated Risk Category _____ Updated Size Range _____
Insp. Notification Print _____ Lic. Insp. No _____
Priority(P) Violations 2 Priority foundation(Pf) Violations 0 _____
Certified Manager on Staff Address Verified p Actual Sq. Ft. 0 _____
Certified Manager Present

INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.
Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.
Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT www.agriculture.ks.gov, EMAIL fsl@kda.ks.gov, OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Demonstration of Knowledge

1. Certification by accredited program, compliance with Code, or correct responses.

This item has Notes. See Footnote 1 at end of questionnaire.

Employee Health

2. Management awareness; policy present.

Y	N	O	A	C	R
..
Y	N	O	A	C	R
..

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Employee Health	Y	N	O	A	C	R
3. Proper use of reporting, restriction and exclusion.
Good Hygienic Practices	Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use	..	..	..	..	..	..
5. No discharge from eyes, nose and mouth.	..	..	..	..	..	..
Preventing Contamination by Hands	Y	N	O	A	C	R
6. Hands clean and properly washed.	..	..	..	..	..	..
7. No bare hand contact with RTE foods or approved alternate method properly followed.	..	..	..	..	..	..
8. Adequate handwashing facilities supplied and accessible.	..	..	..	..	..	..
Approved Source	Y	N	O	A	C	R
9. Food obtained from approved source.	..	..	..	..	..	..
10. Food received at proper temperature.	..	..	..	..	..	..
11. Food in good condition, safe and unadulterated.	..	..	..	..	..	..
12. Required records available: shellstock tags, parasite destruction.	..	..	..	..	..	..
Protection from Contamination	Y	N	O	A	C	R
13. Food separated and protected.	..	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.	..	..	..	..	..	..
15. Proper disposition of returned, previously served, reconditioned and unsafe food.	..	..	..	..	..	..
Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
16. Proper cooking time and temperatures.	..	..	..	..	..	..
17. Proper reheating procedures for hot holding.	..	..	..	..	..	..
18. Proper cooling time and temperatures.	..	..	..	..	..	..
19. Proper hot holding temperatures.	..	..	..	..	..	..
20. Proper cold holding temperatures.	..	..	..	..	..	..
21. Proper date marking and disposition.	..	..	..	..	..	..
22. Time as a public health control: procedures and record.	..	..	..	..	..	..
Consumer Advisory	Y	N	O	A	C	R
23. Consumer advisory provided for raw or undercooked foods.	..	..	..	..	..	..
Highly Susceptible Populations	Y	N	O	A	C	R
24. Pasteurized foods used; prohibited foods not offered.	..	..	..	..	..	..
Chemical	Y	N	O	A	C	R
25. Food additives: approved and properly used.	..	..	..	..	..	..
26. Toxic substances properly identified, stored and used.	..	..	..	..	..	..
Conformance with Approved Procedures	Y	N	O	A	C	R
27. Compliance with variance, specialized process and HACCP plan.	..	..	..	..	..	..
GOOD RETAIL PRACTICES						
Safe Food and Water	Y	N	O	A	C	R

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Safe Food and Water			Y	N	O	A	C	R
	28.	Pasteurized eggs used where required.	..	..	..	..	..	..
	29.	Water and ice from approved source.	..	..	..	..	..	..
	30.	Variance obtained for specialized processing methods.	..	..	..	..	..	..
Food Temperature Control			Y	N	O	A	C	R
	31.	Proper cooling methods used; adequate equipment for temperature control.	..	..	..	..	..	..
	32.	Plant food properly cooked for hot holding.	..	..	..	..	..	..
	33.	Approved thawing methods used.	..	..	..	..	..	..
	34.	Thermometers provided and accurate.	..	..	..	..	..	..
Food Identification			Y	N	O	A	C	R
	35.	Food properly labeled; original container.	..	..	..	..	..	..
Prevention of Food Contamination			Y	N	O	A	C	R
	36.	Insects, rodents and animals not present.	..	p	..	..	..	..
<i>Fail Notes</i>	6-501.111(A)	<i>P - Pests (Prohibited) The PREMISES shall be maintained free of insects, rodents, and other pests. [10 live roaches in wall next to ice machine. 6 live roaches in wall next to hand sink. 2 live roaches in back compressor area of RIC. 15-20 live roaches on wall behind 3 vat sink. 1 live roach on wall near pop syrup rack. 1 live roach in cabinet under fountain drink in wait-staff area. Roaches, at all stages in life, some with eggsacs. 15 live small flying insects in broken tile near floor by back door. PIC stated they have contracted monthly pest control service. Invoice of last treatment was produced for 6/6/15.</i>						
	6-501.112	<i>] Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the PREMISES at a frequency that prevents their accumulation, decomposition, or the attraction of pests. [Dead roaches on glue trap in cabinet area under buffet stations. There were dead roaches also not on glue traps in cabinet area under buffet stations. Dead roaches in wall junctures throughout kitchen.]</i>						
	37.	Contamination prevented during food preparation, storage and display.	..	p	..	..	..	..
<i>Fail Notes</i>	3-305.12	<i>Food storage (Prohibited locations) FOOD may not be stored: In locker rooms; In toilet rooms; In dressing rooms; In garbage rooms; In mechanical rooms; Under sewer lines that are not shielded to intercept potential drips; Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed; Under open stairwells; or, Under other sources of contamination. [Whole watermelon found stored on floor in employee restroom.]</i>						
	38.	Personal cleanliness.	..	..	..	..	..	..
	39.	Wiping cloths: properly used and stored.	..	..	..	..	..	..
	40.	Washing fruits and vegetables.	..	..	..	..	..	..
Proper Use of Utensils			Y	N	O	A	C	R
	41.	In-use utensils: properly stored.	..	..	..	..	..	..
	42.	Utensils, equipment and linens: properly stored, dried and handled.
	43.	Single-use and single-service articles: properly used.

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Proper Use of Utensils	Y	N	O	A	C	R
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44. Gloves used properly.

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Utensils, Equipment and Vending	Y	N	O	A	C	R
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45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-
P and Pf items

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45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-
Core items

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46. Warewashing facilities: installed, maintained, and used; test strips.

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47. Non-food contact surfaces clean.

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Physical Facilities	Y	N	O	A	C	R
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48. Hot and cold water available; adequate pressure.

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49. Plumbing installed; proper backflow devices.

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50. Sewage and waste water properly disposed.

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51. Toilet facilities: properly constructed, supplied and cleaned.

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52. Garbage and refuse properly disposed; facilities maintained.

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53. Physical facilities installed, maintained and clean.

.. p

Fail Notes	6-501.11	PHYSICAL FACILITIES shall be maintained in good repair. [Wall to floor juncture tiles missing along back wall, exposed sheet rock in kitchen areas.]
	6-501.12(A)	PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [Kitchen smells rancid. Food, grease, dirt, and stagnant standing water on floors throughout kitchen. Build up of roach feces was found on walls near ceiling tiles, in wall junctures, and under sushi buffet area.]

54. Adequate ventilation and lighting; designated areas used.

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Administrative/Other	Y	N	O	A	C	R
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55. Other violations

.. p

Fail Notes	8-404.11	P - A LICENSEE shall immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health. A LICENSEE need not discontinue operations in an area of an establishment that is unaffected by the IMMINENT HEALTH HAZARD. [Imminent Health Hazard present in establishment, live roach infestation.]
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EDUCATIONAL MATERIALS

The following educational materials were provided ..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Accompanied by KDA 63

VOLUNTARY CLOSURE STATEMENT

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VOLUNTARY CLOSURE STATEMENT

BECAUSE OF DEFICIENCIES NOTED ON THE ATTACHED KANSAS DEPARTMENT OF AGRICULTURE INSPECTION REPORT, I VOLUNTARILY AGREE TO CLOSE THIS ESTABLISHMENT AND CEASE OPERATION UNTIL NEEDED CORRECTIONS HAVE BEEN COMPLETED. I AGREE NOT TO REOPEN THIS ESTABLISHMENT PRIOR TO RE-INSPECTION BY THE FOOD, DRUG, AND LODGING SURVEYOR.

Reinspection is currently scheduled for _____

Inspection Report Number 92000022

Inspection Report Date 06/18/15

Establishment Name CHINA GARDEN

Physical Address 5860 ANTIOCH RD

City MERRIAM

Zip 66202

Additional Notes

Establishment is not allowed to reopen until an approved reopening inspection has been conducted. Establishment will call for reopening inspection once the live roach infestation has been corrected.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

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NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled _____

Inspection Report Number 92000022

Inspection Report Date 06/18/15

Establishment Name CHINA GARDEN

Physical Address 5860 ANTIOCH RD City MERRIAM

Zip 66202

Additional Notes
and Instructions

Reinspection will be directed by the KDA district office.